Application No. 10/563,232
Paper Dated July 14, 2006

Acree Docket No. 0388-053901

1 7 7 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMPA Polication No.

10/563,232

Confirmation No. 6485

**Applicant** 

Ryuichiro KURANE et al.

Filed

January 3, 2006

Title

**BIOCHIP** 

International Application No.:

PCT/JP2004/009423

International Filing Date

02 July 2004

Priority Date(s) Claimed

04 July 2003; 29 January 2004; 18 May 2004

Customer No.

28289

MAIL STOP AMENDMENT Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants submit this Information Disclosure Statement together with a completed Form PTO/SB/08A, a completed Form PTO/SB/08B, and a copy of each foreign and literature reference listed thereon.

The above referenced application claims priority to and is in the national phase of PCT/JP2004/009423, filed on July 2, 2004. The above-referenced application also claims priority to JP 2003-271084, filed on July 4, 2003, JP 2003-271085, filed on July 4, 2003, JP 2004-021420, filed on January 29, 2004, and JP 2004-147993, filed on May 18, 2004.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lisa R. McNany

Typed Name of Person Signing Certificate

07/14/06

Signature

Date

{W0278062.1}

1

Japanese Patent Reference Nos. 2002-357607, 2001-326209, 2002-306154, and 2002-159285, English language abstracts for which are enclosed, were cited in an International Search Report for PCT/JP2004/009423, which is enclosed herewith. Japanese Patent Reference No. 2002-357607 was also cited in an Office Action for JP 2003-270184, to which the above-referenced application claims priority. A copy of this Office Action is enclosed. Japanese Patent Reference No. 2002-306154 is also cited on page 11 of the specification for the above-referenced application and is relevant for the reasons set forth therein. United States Patent Application Nos. 09/988,488; 10/311,289; 09/950,718; and 09/802,804 are English language equivalents of the other foreign patent documents cited in the International Search Report.

United States Patent Nos. 5,744,305 and 5,807,522 were cited in the specification on page 4 and are relevant for the reasons set forth therein. United States Patent Nos. 5,443,890; 6,046,056; and 6,225,109 and United States Patent Application No. 09/988,492 were cited in a Supplementary Partial European Search Report for the corresponding European application to the above-referenced application. A copy of this Search Report is enclosed.

Canadian Patent No. 2310700 is an English equivalent of a Japanese patent document cited in the specification on page 7 and is relevant for the reasons stated therein. Japanese Patent Reference No. 10337173, an abstract of which is enclosed, was cited on page 8 of the specification and is relevant for the reasons set forth therein.

Japanese Patent Reference Nos. 2005-030170; 7-105991; and 2004-117179, English abstracts of which are enclosed, were cited in an Office Action for JP 2003-271085, to which the above-referenced application claims priority. A copy of this Office Action is enclosed. The Seki document was also cited in this Office Action; a copy of the reference as well as a partial translation is enclosed.

The Fodor, Schena, and Efimenko documents were all cited in the specification and are relevant for the reasons set forth therein. These documents are cited, respectively, on pages 4 and 13, pages 4 and 13, and pages 9 and 13.

Since this Information Disclosure Statement is being submitted before the mailing date of a first Office Action on the merits, it is timely under 37 C.F.R. §1.97(b)(3) and no fee is required. The Commissioner of Patents and Trademarks is hereby authorized to charge any

Application No. 10/563,232 Paper Dated July 14, 2006 Attorney Docket No. 0388-053901

additional fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

By

Kussell D. Orkin

Registration No. 25,363 Attorney for Applicants 700 Koppers Building 436 Seventh Avenue

Pittsburgh, Pennsylvania 15219

Telephone: 412-471-8815 Facsimile: 412-471-4094

E-mail: webblaw@webblaw.com

PTO/SB/08a (07-05)

Ordior the Paper	K Reduction Act of	1995, no persons are	U.S.	Patent and Trademark Office: 11	through 07/31/2006. OMB 0651-0031 S. DEPARTMENT OF COMMERCE it contains a valid OMB control number.
Substitute for form					lete if Known
INICODA	ATION F		UDE	Application Number	10/563,232
INFORMATION DISCLOSURE				Filing Date	January 3, 2006
STATE	MENT BY	APPLIC/	ANT	First Named Inventor	Ryuichiro Kurane
(Use	as many sheets as	s necessarv)		Art Unit	
,				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	0388-053901

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number - Kind Code <sup>2 (if known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	
	1	US- 09/802,804	02-21-2002	Nakao et al.	Figures Appear	
	2	US- 09/950,718	07-18-2002	Yamamuto et al.		
	3	US- 09/988,488	05-30-2002	Sando et al.		
	4	US- 09/988,492	05-30-2002	Sando et al.		
	5	US- 10/311,287	08-28-2003	Johnck et al.		
	6	US- 5,443,890	08-22-1995	Öhman		
	7	US- 5,744,305	04-28-1998	Fodor et al.		
	8	US- 5,807,522	09-15-1998	Brown et al.		
	9	US- 6,046,056	04-04-2000	Parce et al.		
	10	US- 6,225,109	05-01-2001	Juncosa et al.		
		US-				

	FOREIGN PATENT DOCUMENTS						
Examiner Cite Initials* No.1		Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited	Pages, Columns, Lines, Where Relevant Passages		
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	IMM-BB-1111	Document	or Relevant Figures Appear	T <sup>6</sup>	
	11	JP 7-105991	04-21-1995	Matsushita Electric Ind. Co. Ltd.		Abstract	
	12	JP 10337173 A	12-22-1998	Rikagaku Kenkyusho		Abstract	
	13	CA 2310700 A1	06-03-2001	The Institute of Physical and Chemical Research		Abstract	
	14	JP 2001-326209 A	11-22-2001	Mitsubishi Material Silicon		Abstract	
	15	JP 2002-159285 A	06-04-2002	Shimadzu Corp.		Abstract	
	16	JP 2002-306154 A	10-22-2002	Hitachi Electronics Engineering Co., Ltd.		Abstract	
	17	JP 2002-357607 A	12-13-2002	Olympus Optical Co. Ltd.		Abstract	
	18	JP 2004-117179 A	04-15-2004	Arkray, Inc.		Abstract	
	19	JP 2005-030170 A	02-03-2005	Institute of Physical and Chemical Research		Abstract	

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Incre Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JUL 7 7 2006

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for fe	orm 1449B/PTO			Complete if Known		
				Application Number	10/563,232	
•	RMATION			Filing Date	January 3, 2006	
STATEMENT BY APPLICANT				First Named Inventor	Ryuichiro Kurane	
	(Use as many shee	ats as magassami)		Art Unit		
	(Ose as many snee	is as necessary)	_	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	0388-053901	

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
	20	EFIMENKO, Kirill et al., "Surface Modification of Sylgard-184 Poly(dimethyl siloxane) Networks by Ultraviolet and Ultraviolet/Ozone Treatment", Journal of Colloid and Interface Science 254, 2002, pp. 306-315, Elsevier Science, USA.				
	21	SEKI, Minoru et al., "DNA Separation Using a Polymer Microchip", Bioscience and Industry, 2000, Vol. 58, No. 6, pp. 413-414.				
	22	SCHENA, Mark et al., "Quantitative Monitoring of Gene Expression Patterns with a Complementary DNA Microarray", Science, Vol. 270, 20 October 1995, pp. 467-470.				
	23	FODOR, Stephen P.A. et al., "Multiplexed Biochemical Assays with Biological Chips", Nature, Vol. 364, 5 August 1993, pp. 555-556.				

Examiner I	Date
	54.0
Signature	! Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.